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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91195389
Party	Defendant The Topps Company, Inc.
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Date	08/31/2010
Attachments	ANSWER TO NOTICE OF OPPOSITION-WRIGLEY V. TOPPS.pdf (4 pages) (1427614 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

WM. WRIGLEY JR. COMPANY,)	
)	
<i>Opposer,</i>)	
)	OPPOSITION NO. 91195389
v.)	
)	Serial No.: 77/841,372
THE TOPPS COMPANY, INC.,)	
)	
<i>Applicant.</i>)	
)	

ANSWER TO NOTICE OF OPPOSITION

As and for its Answer to the Notice of Opposition, Applicant The Topps Company, Inc. ("Applicant") alleges as follows:

1. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 1, and therefore denies the same.
2. Applicant denies the allegations in paragraph 2.
3. In response to paragraph 3, Applicant admits that Opposer has continuously marketed chewing gum products in connection with the mark JUICY FRUIT since long prior to May 2003, but is without knowledge or information sufficient to form a belief as to whether Opposer has continuously marketed "confectionery" products since prior to that date, and therefore denies the same.
4. Applicant admits the allegations of paragraph 4.

5. Applicant admits the allegations of paragraph 5.
6. Applicant admits the allegations of paragraph 6
7. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 7, and therefore denies the same.
8. Applicant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraph 8, and therefore denies the same.
9. Applicant admits the allegations of paragraph 9.
10. Applicant denies the allegations of paragraph 10.
11. Applicant repeats and realleges its responses to paragraphs 1 through 10 as if fully set forth herein.
12. Paragraph 12 contains a conclusion of law which Applicant can neither admit nor deny.
13. Applicant denies the allegations of paragraph 13.
14. Applicant repeats and realleges its responses to paragraphs 1 through 10 as if fully set forth herein.
15. Applicant denies the allegations of paragraph 15.
16. Applicant admits the allegations of paragraph 16.

WHEREFORE, Applicant prays that the opposition be dismissed with prejudice.

Dated: August 31, 2010

Respectfully submitted,

By



Andrew Baum

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Attorneys for Applicant

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing ANSWER TO NOTICE OF
OPPOSITION was served by first class mail, postage prepaid to:

Douglas N. Masters
Loeb & Loeb LLP
321 North Clark Street, Suite 2300
Chicago, Illinois 60654

attorneys for Opposer, this 31st day of August, 2010.


